

20021-JJO

Case No. 08 CV 1738

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

|                                       |   |                            |
|---------------------------------------|---|----------------------------|
| VJ COMPOUNDING CORPORATION, d/b/a     | ) |                            |
| L. CARLTON MERTZ, CO., an Illinois    | ) |                            |
| Corporation,                          | ) |                            |
|                                       | ) |                            |
| Plaintiff,                            | ) | Case No. 08 CV 1738        |
|                                       | ) |                            |
| v.                                    | ) | Judge Matthew Kennelly     |
|                                       | ) |                            |
| SENECA INSURANCE COMPANY, INC. a      | ) | Magistrate Judge Susan Cox |
| subsidiary of SENECA INSURANCE GROUP, | ) |                            |
| INC. a Delaware Corporation,          | ) |                            |
|                                       | ) |                            |
| Defendant.                            | ) |                            |

**RE-NOTICE OF MOTION**

To: Timothy S. Harris, Reed Smith LLP, 10 S. Wacker Dr., Ste. 4000, Chicago, IL 60606

**PLEASE TAKE NOTICE** that on the 18<sup>th</sup> day of July, 2008, at 9:00 a.m., or soon thereafter as counsel may be heard, we shall appear before the Honorable Judge Matthew Kennelly at the U.S. District Courthouse for the Northern District of Illinois, 219 S. Dearborn, Room 2103, Chicago, Illinois and then and there present, **Motion for Leave to Withdraw its Answer to Plaintiff's Complaint, Withdraw its Answer to Request to Admit Number 32 and File its Amended Answer to Request to Admit 32, File its Amended Answer to Plaintiff's Complaint and Amended Affirmative Defenses**, a copy of which is hereby served upon you.

s/ James J. O'Hagan.  
 James J. O'Hagan (ARDC No. 2094754)  
 O'Hagan Spencer, LLC  
 One E. Wacker Drive  
 Suite 3400  
 Chicago, Illinois 60601  
 Telephone: (312) 422-6100  
 Facsimile: (312) 422-6110  
 E-mail: [johagan@ohaganspencer.com](mailto:johagan@ohaganspencer.com)

ATTORNEYS FOR DEFENDANT  
 SENECA INSURANCE COMPANY, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that on July 11, 2008, a copy of foregoing **Re-Notice of Motion, and Motion** were filed electronically and served by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

Timothy S. Harris  
Reed Smith LLP  
10 S. Wacker Dr.  
40<sup>th</sup> Floor  
Chicago, IL 60606

s/ James J. O'Hagan .  
James J. O'Hagan (ARDC No. 2094754)  
O'Hagan Spencer, LLC  
One E. Wacker Drive  
Suite 3400  
Chicago, Illinois 60601  
Telephone: (312) 422-6100  
Facsimile: (312) 422-6110  
E-mail: [johagan@ohaganspencer.com](mailto:johagan@ohaganspencer.com)

ATTORNEYS FOR DEFENDANT  
SENECA INSURANCE COMPANY, INC.